REMARKS

Applicants submit that by the present Amendment and Remarks, this Application is placed in clear condition for immediate allowance. Specifically, on page 6 of the January 20, 2004 Office Action, the Examiner indicated that claim 3 would be allowable upon overcoming the rejection of the second paragraph of 35 U.S.C. §112 and being placed in independent form. By the present Amendment, the issue raised by the Examiner with respect to claim 3 under the second paragraph of 35 U.S.C. §112 has been addressed and cured, and the limitations of claims 2 and 3 incorporated into claim 1, and claims 2 and 3 cancelled. Therefore, amended claim 1 basically corresponds to claim 3 in independent form. Thus, the present Amendment does not generate any new matter issue or any new issue for that matter. For reasons which should be apparent, the present Amendment clearly places the Application in condition for immediate allowance. Accordingly, entry of the present Amendment and Remarks, and favorable consideration, are respectfully solicited.

Claims 1 and 6 were rejected under 35 U.S.C. §103 for obviousness predicated upon Ishikawa in view of U.S. Patent No. 6122935 issued to Glodis (Glodis '935) and U.S. Patent No. 6105396 issued to Glodis (Glodis '396), and optionally further in view of Fleming, Rabinovich, Lenz and Chandross.

This rejection is traversed. Indeed, this rejection has been rendered moot by incorporating the limitations of claims 2 and 3 into claim 1, claims 2 and 3 not being rejected based upon prior art.

Applicants, therefore, submit that the imposed rejection of claims 1 and 6 under 35 U.S.C. §103 has been overcome and, hence, solicit withdrawal thereof.

Claims 4, 5 and 7 were rejected under 35 U.S.C. §103 for obviousness predicated upon Ishikawa in view of Glodis '935, Glodis '396, optionally, Fleming, Rabinovich, Lenz and Chandross, and further in view of Brown.

This rejection is traversed. Indeed, this rejection has been rendered moot by clarified and incorporating the limitations of claims 2 and 3 into independent claim 1 upon which claims 4, 5 and 7 depend, claims 2 and 3 not being rejected based upon prior art.

Applicants, therefore, submit that the imposed rejection of claims 4, 5 and 7 under 35 U.S.C. §103 for obviousness has been overcome and, hence, solicit withdrawal thereof.

Claim 2 was rejected under the first paragraph of 35 U.S.C. §112 for lack of adequate descriptive support.

In the statement of the rejection, the Examiner asserted that there is no disclosure in the originally filed Application of reducing the pressure of an already reduced pressure. This rejection is traversed.

Specifically, claim 2 has been cancelled. However, limitations from claim 2 have been clarified and incorporated into claim 1 in an effort to address the issue raised by the Examiner. Specifically, amended claim 1 now recites that, during the first heating step, a pressure in the furnace is reduced to a reduced pressure of 10 Pa or less followed by heating. Thus, claim 1 does not require reducing the pressure of an already reduced pressure. Adequate descriptive support for such an amendment to claim 1 should be apparent throughout the originally filed disclosure as, for example, the ultimate paragraph at page 9 thereof.

Applicants, therefore, submit that one having ordinary skill in the art would have understood from the originally filed disclosure that Applicants invented what is now being claimed. *Union Oil Co. of California v. Atlantic Richfield Co. 208 F.3d 989, 54 USPQ2d (Fed. Cir. 2000) 1227.* Applicants, therefore, submit that the imposed rejection of claim 2 under the first paragraph of 35 U.S.C. §112 for lack of adequate descriptive support is not viable, and that amended claim 1 is not vulnerable to rejection under the first paragraph of 35 U.S.C. §112 for lack of adequate descriptive support. Accordingly, withdrawal of the imposed rejection under the first paragraph of 35 U.S.C. §112 for lack of adequate descriptive support is solicited.

Claim 3 was rejected under the second paragraph of 35 U.S.C. §112.

In the statement of the rejection, the Examiner asserted that the language "heating to a thermal shrinking step of heating" renders the claimed invention indefinite. This rejection is traversed.

Initially, Applicants will treat this rejection as though applied against 1, because the limitations of claim 3 have been incorporated into claim 1. In incorporating the limitations of claim 3 into claim 1, Applicants have deleted the words "heating to" thereby addressing the issue raised by the Examiner. In short, claim 1 recites that the first heating step further requires a thermal shrinking step of heating to a temperature range of 1300°C to 1400°C in a predetermined vacuum level of 10 Pa or less.

Applicants submit that one having ordinary skill in the art would have no difficulty understanding the scope of claim 1, particularly when reasonably interpreted in light of and consistent with the written description of the specification, which is the judicial standard. *Miles Laboratories, Inc. v. Shandon, Inc., 997 F.2d 870, 27 USPQ2d 1123 (Fed. Cir. 1993).*

Applicants, therefore, submit that the imposed rejection of claim 3 under the second paragraph of 35 U.S.C. §112 is not viable, and that amended claim 1 is not vulnerable to a rejection under the second paragraph of 35 U.S.C. §112. Accordingly, withdrawal of the rejection under the second paragraph of 35 U.S.C. §112 is solicited.

Applicants acknowledge, with appreciation, the Examiner's indication that claim 3 would be allowed if the imposed rejection under the second paragraph of 35 U.S.C. §112 is overcome and that claim 3 is placed in independent form. By the present Amendment, claim 1 has been amended by incorporating the limitations of claims 2 and 3 therein, which is tantamount to placing claim 3 in independent form. Since the only remaining claims depend from amended claim 1, Applicants submit that all pending claims are in condition for immediate allowance. Favorable consideration is, therefore, respectfully solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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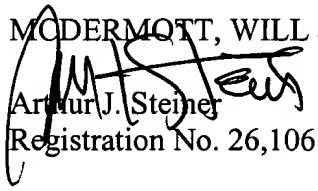

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